



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/737,409	12/15/2000	Seong-Beom Hong	678-567 (P9644)	8811

7590 03/08/2004

Paul J. Farrell, Esq.  
DILWORTH & BARRESE  
333 Earle Ovington Boulevard  
Uniondale, NY 11553

EXAMINER

IQBAL, KHAWAR

ART UNIT PAPER NUMBER

2686

DATE MAILED: 03/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/737,409

Applicant(s)

HONG, SEONG-BEOM

Examiner

Khawar Iqbal

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01-13-04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5,7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sonnenschein et al (6125080) and further in view of Wulich et al (6272072).

3. Regarding claim 1 Sonnenschein et al teaches a device for transmitting SOS signals in a mobile telecommunication terminal (MTT), comprising (figs. 1-2):

a memory for storing code signals of a format corresponding to each of a plurality of SOS phrases (col. 2, lines 41-64);

a user interface for selecting one of the SOS phrases stored in the memory of the MTT (col. 2, lines 41-64, col. 6, lines 55-67, col. 11, line 40-col. 12, line 4);

a control section for selecting the stored code signal corresponding to the selection of a user (col.6, lines 55-67);

a frequency generation section for generating a local oscillating frequency signal of a predetermined bandwidth When in an SOS service mod and for communicating with an other MTT via a base station when not in the SOS service mode (col.4, lines 4-18, col. 9, lines 3-35, col. 7, lines 27-49); and

Art Unit: 2686

a frequency modulation section for modulating a frequency of the selected code signal of the corresponding format by inputting the local oscillating frequency signal of the predetermined bandwidth, and transmitting the modulated signal (col. 3, line 64-col. 4, line 18, col. 9, lines 3-35, col. 7, lines 27-49). Sonnenschein et al does not specifically teach wherein the MTT transfers to the SOS service mode when the user requests emergency assistance and when the MTT cannot communication via the base station.

In an analogous art, Wulich et al teaches wherein the MTT transfers to the SOS service mode when the user requests emergency assistance and when the MTT cannot communication via the base station (col. 3, lines 20-32, col. 8, lines 41-67, col. 10, lines 55-67, col. 14, lines 32-46). The SOS mode provides for communication of a distress or SOS signal from a diver in distress to all other divers in the distressed diver's network and to divers not in the distressed diver's network but located within a predetermined distance therefrom. The SOS mode can also be remotely activated by the transmission and reception of a remote SOS activation code. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Sonnenschein et al by specifically adding feature the MTT transfers to the SOS service mode when the user requests emergency assistance and when the MTT cannot communication via the base station in order to enhance system performance as taught by Wulich et al.

As to claim 7 it is considered the claim is rejected for the same reason as set forth in claim 1.

Regarding claims 2 and 8 Sonnenschein et al teaches wherein the user interface provides a sentence editing function for editing the SOS phrases (col. 11, line 40-col. 12, line 5).

Regarding claims 3 and 9 Sonnenschein et al teaches wherein the frequency bandwidth is a bandwidth used by rescue teams (col. 3, lines 53-col. 4, line 18, col. 12, lines 55-67).

Regarding claims 4 and 10 Sonnenschein et al teaches wherein the frequency bandwidth is a high frequency bandwidth (col. 3, lines 5-11).

Regarding claims 5 and 11 Sonnenschein et al teaches wherein the frequency generation section generates a predetermined frequency allotted for an SOS service in the mobile telecommunication terminal (col. 3, line 53-col. 4, line 18, col. 9, lines 3-35).

4. Claims 6 and 12 rejected under 35 U.S.C. 103(a) as being unpatentable over Sonnenschein et al (6125080) and further in view of Wulich et al (6272072) and Hudecek et al (6289207).

Regarding claims 6 and 12 Sonnenschein et al and Wulich et al do not specifically teach wherein the code of the corresponding format is Morse code. Sonnenschein et al teaches the communication device includes a demodulator for demodulating received modulated signals to produce a demodulated string. A decoder is used for decoding a message from the demodulated string. A display displays a received message and an identification code of a transmitter.

In an analogous art, Hudecek et al teaches wherein the code of the corresponding format is Morse code (col. 18, lines 1-14). Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Sonnenschein et al and Wulich et al by specifically adding features in order to enhance system performance of the code of the corresponding format is Morse code purpose of increasing the efficiency of system as taught by Hudecek et al.

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAWAR IQBAL whose telephone number is 703-306-3015.

Art Unit: 2686

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **BANKS-HAROLD, MARSHA**, can be reached at 703-305-4379.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

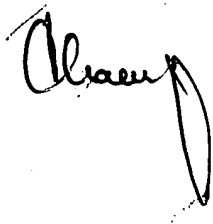
**or faxed to:**

**(703) 872-9314 (for Technology Center 2684 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

**Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.**

Khawar Iqbal



*Marsha D Banks-Harold*  
MARSHA D. BANKS-HAROLD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600